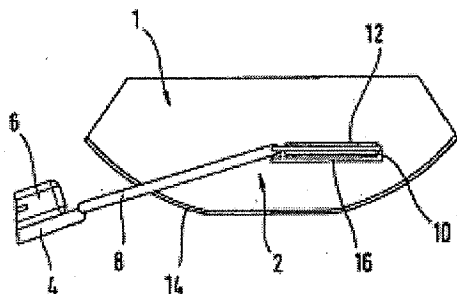


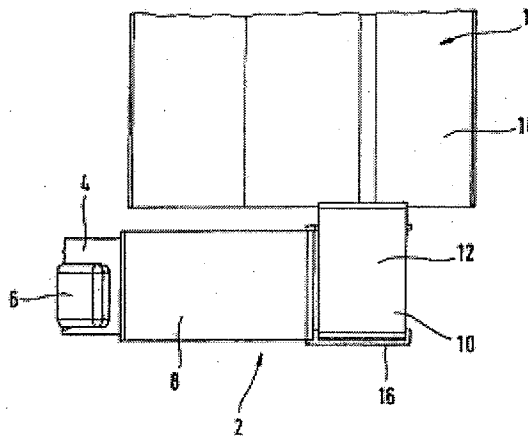
### REMARKS

By this amendment, claims 1 and 21 have been amended. Claims 1, 5, 21, 25, 27, and 29 are pending in the application. Applicants reserve the right to pursue the subject matter of the original claims and other claims in this and other applications. Claim 1 has been amended in minor fashion not affecting the scope of the claim, and it is now believed to be in better condition for allowance.

Claims 1, 5, 21, 25, 27, and 29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. This rejection is respectfully traversed. Support for the objected-to feature can be found in the specification at least in the FIG. 1A top view (reproduced below) which depicts the first conveyor organ 8 moving in the horizontal direction, and the second conveyor organ 10 moving in the vertical direction of the drawing. Thus, the second conveyor organ 10 moves transversely to the first conveyor organ 8. The pivot point is illustrated in the FIG. 1 vertical direction, as clearly shown in the FIG. 1 side view (also reproduced below), along the end of the intermediate conveyor means 2. Applicant respectfully requests that the 35 U.S.C. § 112 rejection of these claims be withdrawn and the claims be allowed.



Specification, FIG. 1



Specification, FIG. 1A

Claim 21 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without conceding the propriety of the rejection, the claims have been amended to address the concerns raised in the Office Action. Applicant respectfully requests that the rejection of these claims be withdrawn and the claims allowed.

Claims 1, 5, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fenner et al. (US 4,780,043). This rejection is respectfully traversed.

Claim 1 recites a system for loading and unloading loose cargo in a cargo hold, of a plane, comprising, *inter alia*, “transport means provided in the cargo hold covering an area of a floor of the cargo hold for intermittently conveying the loose cargo in a conveying direction towards an inner end of the cargo hold during loading, and away from it during unloading..., and a separate external conveyor organ provided on a tarmac adapted to reach into the cargo hold opening on the outside of the plane for transporting the loose cargo between the level of the tarmac and the cargo hold opening” (emphasis added). Claims 21 also recites similar features. Applicants respectfully submit that Fenner et al. does not disclose at least these features of the claimed invention.

To the contrary, Fenner et al. discloses a doorway transfer unit 17 and longitudinal units 19 for moving cargo within a plane. It is apparent that these units 17, 19 are suitable only for transporting container cargo, and not for loose cargo, which would fall off the units 17, 19 or into the open mechanisms of the units 17, 19. Therefore, transporting loose cargo would render Fenner et al. unsatisfactory for its intended purpose, in violation of M.P.E.P. § 2143.01(V).

Applicants respectfully submit that Fenner et al. does not disclose, teach, or suggest at least “transport means ... for intermittently conveying the loose cargo,” as recited in claims 1 and 21.

Claim 1 further recites that “intermediate conveyor means comprises at least one first conveyor organ adapted to be modifiable in length in the conveying direction.” The doorway transfer unit 17, which was cited in the Office Action as reading on the claimed “intermediate conveyor means” is, to the contrary, a modular unit of fixed size, where multiple units 19 are intended to be placed in the airplane in a serial arrangement as far as is required. *See* Fenner et al. FIG. 4 and Col. 4, ln. 5-9. Accordingly, Applicants respectfully submit that Fenner et al. also fails to disclose at least this feature of claims 1 and 21.


Since Fenner et al. does not disclose all of the limitations of claims 1 and 21, Applicants respectfully submit that claims 1 and 21 are not anticipated by Fenner et al. Claim 5 depends from independent claim 1, and is patentable at least for the reasons mentioned above, and on its own merits. Although claims 25, 27, and 29 were not listed in the rejection, they are discussed in the body of the rejection, and are also patentable at least for the reasons mentioned above, and on their own merits. Further, the Office Action fails to cite to any place in Fenner et al. where the reference may read on claims 5, 27, or 29, thus failing to make a *prima facie* case of anticipation for at least these claims. Applicants respectfully request that the 35 U.S.C. § 102(b) rejection of claims 1, 5, and 21 be withdrawn and the claims allowed.

In view of the foregoing remarks, Applicant respectfully requests that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call Applicant’s undersigned representative at 202-861-1606 in an effort to resolve any matter still outstanding before issuing another action. Applicant’s

undersigned representative is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 77191.21900.

Respectfully submitted,  
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